

REMARKS

In the Office Action¹, the Examiner rejected claims 8-10 and 13 under 35 U.S.C. § 102(e) as being anticipated by Matsuzaki et al. (U.S. Patent No. 6,289,314) (“*Matsuzaki*”), and rejected claims 11 and 12 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuzaki*.

Applicants respectfully traverse the rejection of claims 8-10 and 13 under 35 U.S.C. § 102(e) as anticipated by *Matsuzaki*. In order to properly establish that *Matsuzaki* anticipates Applicants’ claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Claim 8 recites an information processing system including, for example:

at least one information processing apparatus . . .
a control apparatus . . . and
a master information processing apparatus . . . including . . .
a first transmitter . . .
a first receiver . . .
a second transmitter . . . and
a second receiver to receive registration conditions from said control apparatus, said registration conditions prepared in response to receiving said payment information from the master information processing apparatus that settles payment for media contents received directly by said at least one information processing apparatus,

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

wherein the first receiver and second receiver each contains a registration list that stores information about the corresponding receiver and determines which receiver is eligible for proxy account settlement.

(emphasis added). *Matsuzaki* does not disclose each and every element of Applicants' claimed invention.

According to the Examiner, the claimed at least one information processing apparatus corresponds to terminal 3 of *Matsuzaki*, and both the control apparatus and master information processing apparatus correspond to server 2 of *Matsuzaki* (Office Action at page 3). The Examiner cites Fig. 2, ref. 211, 221, 222, 223, for "a second receiver to receive registration conditions from said control apparatus" (Office Action at page 4). Applicants respectfully disagree.

The Examiner states that the master information processing apparatus in *Matsuzaki* corresponds to server 2 (Office Action at page 3). However, the second receiver, characterized by the Examiner as referring to ref. 211, 221, 222, 223 of Fig. 2, receives "CONTRACT INFO" from the transmitting station (Office Action at page 4). As shown in Fig. 2, however, the transmitting station TS is separate from the server 2, characterized by the Examiner as corresponding to both the control apparatus and the master information processing apparatus. Information received by ref. 211, 221, 222, 223 of Fig. 2 is received from the transmitting station TS, not the server 2. Because this information is received from the transmitting station TS, it is not received from either the control apparatus or the master information processing apparatus. Therefore, *Matsuzaki* does not teach any information processing system comprising "a second receiver to receive registration conditions from said control apparatus, said registration

conditions prepared in response to receiving said payment information from the master information processing apparatus", as recited in claim 8.

Moreover, *Matsuzaki* does not teach or suggest a registration list contained in both the first receiver and the second receiver. Therefore, *Matsuzaki* does not teach any information processing system comprising a first and second receiver wherein, "the first receiver and second receiver each contain a registration list that stores information about the corresponding receiver and determines which receiver is eligible for proxy account settlement," as further recited in claim 8.

Matsuzaki fails to teach the claimed subject matter, including at least these elements. Accordingly, *Matsuzaki* cannot anticipate claim 8. Thus, claim 8 is allowable for at least these reasons. Claims 9-12 are also allowable at least due to their depending from claim 8.

Independent claim 13, while of different scope, recites limitations similar to those of claim 8 and is thus allowable over *Matsuzaki* for at least the same reasons discussed above in regard to claim 8.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Customer No. 22,852
Attorney Docket No. 09812.0635
Application No. 09/719,015

Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 31, 2006

By: /David W. Hill/

David W. Hill
Reg. No. 28,220